

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Matti MYYRY <i>et al.</i>	Confirmation No.: 8108
Application No.: 10/518,520	Group Art Unit: 2618
Filed: December 21, 2004	Examiner: Lu, Zhiyu

For: MECHANISM FOR ESTABLISHING A COMMUNICATIONS GROUP

Commissioner for Patents
Alexandria, VA 22313-1450

APPEAL BRIEF

Dear Sir:

This Appeal Brief is submitted in support of the Notice of Appeal dated February 23, 2010.

I. REAL PARTY IN INTEREST

NOKIA Corporation is the real party in interest.

II. RELATED APPEALS AND INTERFERENCES

Appellants are unaware of any related Appeal or Interference.

III. STATUS OF THE CLAIMS

Claims 31 through 54 and 61 through 77 are pending in this Appeal. Claims 31 through 54 and 61 through 77 were previously presented. Claims 31 through 54 and 61 through 77 have been finally rejected in an Office Action dated November 23, 2009, the final rejection being

maintained in the Notice of Panel Decision from Pre-Appeal Brief Review dated May 4, 2010. It is from the final rejection of claims 31 through 54 and 61 through 77 that this Appeal is taken.

IV. STATUS OF AMENDMENTS

No Amendment has been submitted subsequent to the issuance of the Office Action dated November 23, 2009.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The claimed inventions employ a first communications network/medium to exchange group member information, and then carry out the group communication over a second/mobile communications network. By requesting group participant ID information to be electronically set up by a master user equipment via the first communication medium/network, the claimed inventions avoid the inconvenience and burden caused by the conventional approach of manually entering the list of people/equipments.

Independent claim 31 reads as follows:

31. A method, comprising:

sending a request for group establishment from one user equipment acting as a master user equipment to at least one slave user equipment over a first communications network (See, e.g., Abstract, ¶¶ [0008], [0009], [0022]-[0024], [0029], [0030] of the corresponding US. Pub. No. 2005/0239405; UE A, UE B, UE C, N1 in FIGs. 2 and 3);

receiving from the at least one slave user equipment a response comprising information on a user for group establishment, over the first communications network (See, e.g., Abstract, ¶¶ [0021], [0024], [0025], [0029], [0030]);

creating, by the master user equipment, the group based on the information received in responses from the at least one slave user equipment, the group comprising the master user equipment and the at least one slave user equipment (See, e.g., Abstract, ¶¶ [0023], [0027], [0030], [0031]);

sending, by the master user equipment, the information on the created group to a group management server in a second communications network (See, e.g., ¶¶ [0024], [0026], [0041], [0044]; N2, CPS in FIGs. 2 and 3); and

establishing the group communication in the second communication network (See, e.g., ¶¶ [0003]-[0008], [0031], [0044], [0041], [0044]; N2, CPS in FIGs. 2 and 3).

Independent claim 32 reads as follows:

32. A method, comprising:

sending a request for group establishment from a master user equipment to at least one slave user equipment over a first communications network (See, e.g., Abstract, ¶¶ [0008], [0009], [0022]-[0024], [0029], [0030]; UE A, UE B, UE C, N1 in FIGs. 2 and 3);

receiving from the at least one slave user equipment over the first communications network a response comprising information on a user for group establishment (See, e.g., Abstract, ¶¶ [0021], [0024], [0025], [0029], [0030]);

creating, by the master user equipment, the group based on the information received in responses from the at least one slave user equipment, the group comprising the master

user equipment and the at least one slave user equipment (See, e.g., Abstract, ¶¶ [0023], [0027], [0030], [0031]); and
establishing the group communication in the second communication network (See, e.g., ¶¶ [0003]-[0008], [0031], [0044], [0041], [0044]; N2, CPS in FIGs. 2 and 3).

Independent claim 51 reads as follows:

51. An apparatus (See, e.g., ¶¶ [0033]-[0038]; a user terminal in FIG. 6), comprising:
means for sending a request for group establishment to at least one slave user equipment over
a first communications network (See, e.g., Abstract, ¶¶ [0008], [0009], [0022]-[0024], [0029], [0030]; UE A, UE B, UE C, N1 in FIGs. 2 and 3; WLAN part 6-12 in FIG. 6);
means for receiving from at least one slave user equipment over the first communications
network a response comprising information on user for group establishment (See, e.g.,
Abstract, ¶¶ [0021], [0024], [0025], [0029], [0030] ; WLAN part 6-12 in FIG. 6);
means for creating the group based on the information received in responses from the at least
one slave user equipment (See, e.g., Abstract, ¶¶ [0023], [0027], [0030], [0031] ;
controller 6-8 in FIG. 6);
means for sending the information on the created group to a group management server in a
second communications network (See, e.g., ¶¶ [0024], [0026], [0041], [0044]; N2, CPS in
FIGs. 2 and 3; RF 6-10 in FIG. 6); and
means for establishing the group communication in the second communication network (See,
e.g., ¶¶ [0003]-[0008], [0031], [0044], [0041], [0044]; N2, CPS in FIGs. 2 and 3; RF 6-10
in FIG. 6).

Independent claim 52 reads as follows:

52. An apparatus (See, e.g., ¶¶ [0033]-[0038]; a user terminal in FIG. 6), comprising:
means for sending a request for group establishment to at least one slave user equipment over
a first communications network (See, e.g., Abstract, ¶¶ [0008], [0009], [0022]-[0024],
[0029], [0030]; UE A, UE B, UE C, N1 in FIGs. 2 and 3; WLAN part 6-12 in FIG. 6);
means for receiving from at least one slave user equipment over the first communications
network a response comprising information on a user for group establishment (See, e.g.,
Abstract, ¶¶ [0021], [0024], [0025], [0029], [0030] ; WLAN part 6-12 in FIG. 6);
means for creating the group based on the information received in responses from the at least
one slave user equipment (See, e.g., Abstract, ¶¶ [0023], [0027], [0030], [0031] ;
controller 6-8 in FIG. 6); and
means for sending the information on the created group to all members of the group via the
first communications network (See, e.g., ¶¶ [0024], [0026], [0041], [0044]; N2, CPS in
FIGs. 2 and 3; RF 6-10 in FIG. 6); and
means for establishing the group communication in the second communication network (See,
e.g., ¶¶ [0003]-[0008], [0031], [0044], [0041], [0044]; N2, CPS in FIGs. 2 and 3; RF 6-10
in FIG. 6).

Independent claim 62 reads as follows:

62. An apparatus (See, e.g., ¶¶ [0033]-[0038]; a user terminal in FIG. 6), comprising:
a first transceiver configured to send a request for group establishment to at least one slave
user equipment over a first communications network (See, e.g., Abstract, ¶¶ [0008],
[0009], [0022]-[0024], [0029], [0030]; UE A, UE B, UE C, N1 in FIGs. 2 and 3; WLAN
part 6-12 in FIG. 6);

a receiver configured to receive from at least one slave user equipment over the first communications network a response comprising information on user for group establishment (See, e.g., Abstract, ¶¶ [0021], [0024], [0025], [0029], [0030] ; WLAN part 6-12 in FIG. 6);

a grouping unit configured to create the group based on the information received in responses from the at least one slave user equipment (See, e.g., Abstract, ¶¶ [0023], [0027], [0030], [0031]; controller 6-8 in FIG. 6); and

a second transceiver configured to send the information on the created group to a group management server in a second communications network (See, e.g., ¶¶ [0024], [0026], [0041], [0044]; N2, CPS in FIGs. 2 and 3; RF 6-10 in FIG. 6),

wherein the apparatus is configured to establish the group communication in the second communication network (See, e.g., ¶¶ [0003]-[0008], [0031], [0044], [0041], [0044]; N2, CPS in FIGs. 2 and 3; RF 6-10 in FIG. 6).

Independent claim 63 reads as follows:

63. An apparatus (See, e.g., ¶¶ [0033]-[0038]; a user terminal in FIG. 6), comprising:

a first transceiver configured to send a request for group establishment to at least one slave user equipment over a first communications network (See, e.g., Abstract, ¶¶ [0008], [0009], [0022]-[0024], [0029], [0030]; UE A, UE B, UE C, N1 in FIGs. 2 and 3; WLAN part 6-12 in FIG. 6);

a receiver configured to receive from at least one slave user equipment over the first communications network a response comprising information on a user for group establishment (See, e.g., Abstract, ¶¶ [0021], [0024], [0025], [0029], [0030] WLAN part 6-12 in FIG. 6);

a grouping unit configured to create the group based on the information received in responses from the at least one slave user equipment (See, e.g., Abstract, ¶¶ [0023], [0027], [0030], [0031] ; controller 6-8 in FIG. 6); and

a second transceiver configured to send the information on the created group to all members of the group via the first communications network (See, e.g., ¶¶ [0024], [0026], [0041], [0044]; N2, CPS in FIGs. 2 and 3; RF 6-10 in FIG. 6),

wherein the apparatus is configured to establish the group communication in the second communication network (See, e.g., ¶¶ [0003]-[0008], [0031], [0044], [0041], [0044]; N2, CPS in FIGs. 2 and 3; RF 6-10 in FIG. 6).

Independent claim 64 reads as follows:

64. A computer program embodied on a computer readable medium for controlling a computer to perform a method, the method comprising:

sending a request for group establishment from one user equipment acting as a master user equipment to at least one slave user equipment over a first communications network (See, e.g., Abstract, ¶¶ [0008], [0009], [0022]-[0024], [0029], [0030]; UE A, UE B, UE C, N1 in FIGs. 2 and 3);

receiving from the at least one slave user equipment a response comprising information on a user for group establishment, over the first communications network (See, e.g., Abstract, ¶¶ [0021], [0024], [0025], [0029], [0030]);

creating, by the master user equipment, the group based on the information received in responses from the at least one slave user equipment, the group comprising the master user equipment and the at least one slave user equipment (See, e.g., Abstract, ¶¶ [0023], [0027], [0030], [0031]); and

sending, by the master user equipment, the information on the created group to a group management server in a second communications network (See, e.g., ¶¶ [0024], [0026], [0041], [0044]; N2, CPS in FIGs. 2 and 3); and

establishing the group communication in the second communication network (See, e.g., ¶¶ [0003]-[0008], [0031], [0044], [0041], [0044]; N2, CPS in FIGs. 2 and 3).

VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

A. Claims 31, 32, 51, 52, and 62 through 64 were rejected under the first paragraph of 35 U.S.C. §112, for lack of adequate descriptive support.

B. Claims 31 through 43, 45 through 54, 61 through 73, 76, and 77 were rejected under 35 U.S.C. §102(e) as being anticipated by *Kotzin* (US 7,002,942).

C. Claim 44 was rejected under 35 U.S.C. §103(a) for obviousness predicated upon *Kotzin* in view of *Jamieson et al.* (US 2002/0034959).

D. Claims 74 and 75 were rejected under 35 U.S.C. §103(a) for obviousness predicated upon *Kotzin* in view of *Randall et al.* (US 7,248,677).

VII. ARGUMENT

A. THE REJECTION OF CLAIMS 31, 32, 51, 52, AND 62 THROUGH 64 UNDER THE FIRST PARAGRAPH 35 U.S.C. §112 IS NOT VIABLE BECAUSE THERE IS ADEQUATE DESCRIPTIVE SUPPORT FOR “ESTABLISHING THE GROUP COMMUNICATION IN THE SECOND COMMUNICATION NETWORK”.

The inquiry to be made regarding a rejection under the written description clause of 35 U.S.C. §112, first paragraph, pertains to whether the disclosure (specification, drawings, claims) as originally filed reasonably conveys to one having ordinary skill in the art that the inventor had possession of the now claimed invention. *In re Wertheim*, 541 F.2d 257, 191 USPQ 90, 98

(CCPA 1976). Literal support of the disclosure for the terms of the claims challenged by the examiner is not necessary in order to show such possession. *In re Wright*, 866 F.2d 422, 425, 9 USPQ2d 1649, 1651 (Fed. Cir. 1989); *In re Kaslow*, 707 F.2d 1366, 1375, 217 USPQ 1089, 1096 (Fed. Cir. 1983); *In re Herschler*, 591 F.2d 693, 700-701, 200 USPQ 711, 717 (CCPA 1979); *In re Lukach*, 442 F.2d 967, 969, 169 USPQ 795, 796 (CCPA 1971). In applying these legal tenets to the facts of this case, Appellants submit that the Examiner committed clear factual error.

In stating the rejection, the Examiner asserted that the recitation of “establishing the group communication in the second communication network” is not adequately described in the original specification.

A review of paragraphs [0003]-[0006] and [0008] of the written description of the specification reveals that the claimed inventions employ the first communications network/medium (i.e., the short-range communications medium) to exchange group member information to avoid either manually entering by a master user the list of people/equipments of a new group or exchanging e-business cards, thereby establishing the group communication in the second/mobile communications network/medium (i.e., primary communications medium of the communications network). In particular, paragraph [0008] recites “the invention is based on the idea of establishing a communications group in **a communications network** by sending from master user equipment to at least one slave user equipment via a communications medium, preferably **a short-range communications medium that is separate from the primary communications medium of the communications network.**” These paragraphs clearly provide adequate descriptive support for “establishing the group communication in the second communications network”.

In addition, canceled original claims 1 through 30, which are part of the original disclosure, such as claims 25 and 30, referred to the second communications network as the (mobile) communications network, while referred to the first communications network/medium strictly as the short-range communications medium. In particular, Claim 25 recited that “a plurality of user equipment each including a group **communications capability in the mobile communications network**, and a transceiver for **further** communication over a short-range communications medium”, “at least one user equipment being configured to operate as master user equipment (UEA) and to send (2-4,2-5) a request to at least one slave user equipment (UEB, UEC) over the short-range communications medium prompting the user of the slave user equipment (UEB, UEC) to send user information **for group establishment in the mobile communications network**”. Claim 30 recited “sending advertisements to the group members **over the communications network.**” Giving claims 25 and 30 the broadest reasonable interpretation consistent with the specification, such advertisements to the group members constitute group communication over the second/mobile communications network. *Phillips v. AWH Corp.*, 415 F.3d 1303, 75 USPQ2d 1321 (Fed. Cir. 2005).

Furthermore, as acknowledged by the Examiner on page 2, lines 13-15 of the Office Action, the Abstract supports “initiating group communication in the network 2 (N2, e.g., GSM).”

The Examiner’s interpretation of N2 as alternative storage is only one embodiment of the invention, which is not exclusive or inconsistent with “establishing the group communication in the second communications network”. In fact, this interpretation facilitates “establishing the group communication in the second communications network,” since the collected group

information stored in the second communications network can be used to establish the group communication in the second communications network.

It is therefore apparent that there is clear descriptive support, at least in the Abstract, paragraphs [0003]-[0006] and [0008], and original claims 1 through 30 of the written description of the specification, for the now claimed invention, including the claim feature of “establishing the group communication in the second communications network.” It follows that one having ordinary skill in the art would have clearly appreciated that, at the time the present application was filed, Appellants had possession of the now claimed invention, including “establishing the group communication in the second communications network.” It should be clear that Appellants did, indeed, have possession of “establishing the group communication in the second communications network.”

Appellants therefore submit that the Examiner’s rejection of claims 31, 32, 51, 52, and 62 through 64 under 35 U.S.C. §112, first paragraph is factually erroneous.

B. CLAIMS 31 THROUGH 43, 45 THROUGH 54, 61 THROUGH 73, 76, AND 77 ARE NOT ANTICIPATED OVER *KOTZIN*, BECAUSE *KOTZIN* FAILS TO DISCLOSE THE CLAIMED FEATURE OF ESTABLISHING THE GROUP COMMUNICATION IN THE SECOND COMMUNICATIONS NETWORK.

To anticipate a patent claim, every element and limitation of the claimed invention must be found in a single prior art reference, arranged as in the claim. *Karsten Mfg. Corp. v. Cleveland Golf Co.*, 242 F.3d 1376, 1383, 58 USPQ2d 1286, 1291 (Fed. Cir. 2001); *Scripps Clinic & Research Foundation v. Genentech, Inc.*, 927 F.2d 1565, 1576, 18 USPQ2d 1001, 1010 (Fed. Cir. 1991). A prior art reference anticipates a patent claims if it discloses every limitation of the claimed invention, either explicitly or inherently. *In re Schreiber*, 128 F.3d 1473, 1477, 44 USPQ2d 1429, 1431 (Fed. Cir. 1997). “Under the principles of inherency, if the prior art

necessarily functions in accordance with, or includes, the claimed limitations, it anticipates.” *MEHL/Biophile Int'l Corp. v. Milgraum*, 192 F.3d 1362, 1365, 52 USPQ2d 1303, 1305 (Fed. Cir. 1999).

In the Office Action of November 23, 2009, the Examiner asserted that *Kotzin* discloses the step of “establishing the group communication in the second communications network” as recited in independent claim 30 and similarly recited in claims 32, 51, 52, and 62 through 64. The Examiner further asserted that “group communication does not necessarily limit to communication among each other.”

Appellants respectfully submit that one having ordinary skill in the art would readily recognize that the group communication, in the context of the present disclosure, **refers to** communication among the group members. Indeed, that conclusion is compelled by the plain meaning of “group communication”.

In contrast, *Kotzin* merely establishes a group of close by subscribers 106a-106n to exchange resources capability information (e.g., bandwidth) via the first/short-range network, “to allow communication with the wireless wide area network” (FIG. 1; col. 6, lines 19-35). The communication is to facilitate one of the subscribers to communicate **with the network 104**, rather than any group communication **among the subscribers**. For example, if a wireless unit 106d wishes to send large amounts of data and also make a telephone call, while not having sufficient bandwidth to perform both operations, the unit 106d sends at least a part of the data/voice to the wide area network 104 via another wireless unit 106a (“communicated to the wide area network 104 via the wireless unit 106a on behalf of the wireless unit 106d”). Accordingly, there is no basis for the Examiner’s determination that *Kotzin* discloses, or even suggests, “establishing the group communication in the second communications network.”

As is clear from at least the above discussion, *Kotzin* can not and does not establish the group communication in the second communications network. Appellants therefore submit that the imposed rejection of claims 31, 32, 51, 52, and 62 through 64 and their dependent claims 33 through 43, 45 through 50, 53, 54, 61, 65 through 73, 76, and 77 under 35 U.S.C. §102(e) for lack of novelty as evidenced by *Kotzin* is not factually viable.

C. CLAIM 44 IS NOT RENDERED OBVIOUS BY *KOTZIN* AND *JAMIESON ET AL.* BECAUSE NEITHER REFERENCE DISCLOSES OR SUGGESTS ESTABLISHING THE GROUP COMMUNICATION IN THE SECOND COMMUNICATIONS NETWORK.

Claim 44 depends from independent claim 31. Appellants incorporate herein the arguments previously advanced in traversing the imposed rejection of claim 31 under 35 U.S.C. §102(e), particularly the fact that *Kotzin* does not disclose the claim features of “establishing the group communication in the second communications network.” That deficiency is not cured by *Jamieson et al.*, relied upon for the feature of an identification of a talk group.

Appellants therefore submit that the imposed rejection of claim 44 under 35 U.S.C. §103(a) based on *Kotzin* in view of *Jamieson et al.* is not factually or legally viable.

D. CLAIMS 74 AND 75 ARE NOT RENDERED OBVIOUS BY *KOTZIN* AND *RANDALL ET AL.* BECAUSE NEITHER REFERENCE DISCLOSES OR SUGGESTS ESTABLISHING THE GROUP COMMUNICATION IN THE SECOND COMMUNICATIONS NETWORK.

Claim 74 depends from independent claim 31, and claim 75 depends from independent claim 62. Appellants incorporate herein the arguments previously advanced in traversing the imposed rejection of claims 31 and 62 under 35 U.S.C. §102(e), particularly the fact that *Kotzin* does not disclose the claim features of “establishing the group communication in the second

communications network.” That deficiency is not cured by *Randall et al.*, relied upon for the features of a presence and instant messaging server.

Appellants therefore submit that the imposed rejection of claims 74 and 75 under 35 U.S.C. §103(a) based on the *Kotzin* in view of *Randall et al.* is not factually or legally viable.

VIII. CONCLUSION AND PRAYER FOR RELIEF

For the foregoing reasons, Appellants submit that the Examiner’s rejections are in error and, hence, solicit the Honorable Board to reverse each of the Examiner’s rejections.

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

DITTHAVONG MORI & STEINER, P.C.

June 4, 2010
Date

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CLAIMS APPENDIX

1. - 30. (Canceled)

31. A method, comprising:

sending a request for group establishment from one user equipment acting as a master user equipment to at least one slave user equipment over a first communications network;

receiving from the at least one slave user equipment a response comprising information on a user for group establishment, over the first communications network;

creating, by the master user equipment, the group based on the information received in responses from the at least one slave user equipment, the group comprising the master user equipment and the at least one slave user equipment;

sending, by the master user equipment, the information on the created group to a group management server in a second communications network; and

establishing the group communication in the second communication network.

32. A method, comprising:

sending a request for group establishment from a master user equipment to at least one slave user equipment over a first communications network;

receiving from the at least one slave user equipment over the first communications network a response comprising information on a user for group establishment;

creating, by the master user equipment, the group based on the information received in responses from the at least one slave user equipment, the group comprising the master user equipment and the at least one slave user equipment; and

establishing the group communication in the second communication network.

33. The method according to claim 31, wherein at least one of the request or the response is a multicast request, a point-to-point request, a short message request, an instant message request, an e-mail message request, a multimedia message request, a unified messaging message request, a wireless application protocol message request, or an session initiation protocol message request.

34. The method according to claim 31, further comprising, in creating or modifying the group, checking, by the master user equipment, the response from slave user equipment and if the information of the slave user equipment is acceptable, adding the slave user equipment to the group.

35. The method according to claim 31, wherein the request comprises a file which guides the user of the slave user equipment to send only the information needed to establish the group to the master user equipment.

36. The method according to claim 31, wherein the request comprises a file which guides the slave user equipment to send only the information needed to establish the group to the master user equipment.

37. The method according to claim 31, further comprising retrieving, by the master user equipment, a file for the request from at least one of the first communication network, and the second communication network, from its memory, or from the slave user equipment.

38. The method according to claim 31, further comprising retrieving, by the master user equipment, a file for the request.

39. The method according to claim 31, wherein the first communication network is a circuit switched network, a packet switched network, a wireless local area network, an infrared data association network, a Bluetooth medium, or a network according to the Institute of Electrical and Electronics Engineers 802.11 standards.

40. The method according to claim 31, wherein the second communications network is a digital mobile communications network, a circuit switched network, or a packet switched network.

41. The method according to claim 31, further comprising:

before sending the request from the master user equipment to at least one slave user equipment, selecting, by the master user equipment, an identification to be used in the information interchange.

42. The method according to claim 31, further comprising sending the request by using multicasting.

43. The method according to claim 31, further comprising sending the request by using broadcasting.

44. The method according to claim 41, wherein the identification is an mobile station integrated services digital network number.

45. The method according to claim 31, further comprising sending, by the master user equipment, the request automatically when new user equipment enters a predetermined area.

46. The method according to claim 45, further comprising: detecting entrance of a client or new user equipment into the predetermined area; and sending the request over the first communications network at least in the proximity of the entrance point.

47. The method according to claim 45, further comprising: sending the request periodically over the first communication network at least in the proximity of the entrance point to the predetermined area.

48. The method according to claim 31, further comprising deleting, by the master user equipment, user equipment from a group when the user equipment exits a predetermined area or after a predetermined period of time has elapsed.

49. The method according to claim 48, further comprising:
detecting exit of a client or user equipment from the predetermined area;
sending an identification request over the first communication network at least in the proximity of the exit point; and
deleting a group member from the group on the basis of a response to the identification request, if any.

50. The method according to claim 31, further comprising sending, by the master user equipment or another device provided with the group information, advertisements to the group members over the second communications network.

51. An apparatus, comprising:

means for sending a request for group establishment to at least one slave user equipment over a first communications network;

means for receiving from at least one slave user equipment over the first communications network a response comprising information on user for group establishment;

means for creating the group based on the information received in responses from the at least one slave user equipment;

means for sending the information on the created group to a group management server in a second communications network; and

means for establishing the group communication in the second communication network.

52. An apparatus, comprising:

means for sending a request for group establishment to at least one slave user equipment over a first communications network;

means for receiving from at least one slave user equipment over the first communications network a response comprising information on a user for group establishment;

means for creating the group based on the information received in responses from the at least one slave user equipment; and

means for sending the information on the created group to all members of the group via the first communications network; and

means for establishing the group communication in the second communication network.

53. The apparatus according to claim 51, wherein the first communication network includes a circuit switched network, a packet switched network, a wireless local area network, an infrared data association network, a Bluetooth medium, or a network according to the Institute of Electrical and Electronics Engineers 802.11 standards.

54. The apparatus according to claim 51, wherein the first communication network is a digital mobile communications network, a circuit switched network, a packet switched network, a wireless local area network, an infrared data association network, a Bluetooth network, or a network according to the Institute of Electrical and Electronics Engineers 802.11 standards.

55-60. (Canceled)

61. The method according to claim 31, further comprising: modifying the group based on the information received in responses from the at least one slave user equipment; and

sending, by the master user equipment, information on the modified group to the second communications network.

62. An apparatus, comprising:

a first transceiver configured to send a request for group establishment to at least one slave user equipment over a first communications network;

a receiver configured to receive from at least one slave user equipment over the first communications network a response comprising information on user for group establishment;

a grouping unit configured to create the group based on the information received in responses from the at least one slave user equipment; and

a second transceiver configured to send the information on the created group to a group management server in a second communications network

wherein the apparatus is configured to establish the group communication in the second communication network.

63. An apparatus, comprising:

a first transceiver configured to send a request for group establishment to at least one slave user equipment over a first communications network;

a receiver configured to receive from at least one slave user equipment over the first communications network a response comprising information on a user for group establishment;

a grouping unit configured to create the group based on the information received in responses from the at least one slave user equipment; and

a second transceiver configured to send the information on the created group to all members of the group via the first communications network

wherein the apparatus is configured to establish the group communication in the second communication network.

64. A computer program embodied on a computer readable medium for controlling a computer to perform a method, the method comprising:

sending a request for group establishment from one user equipment acting as a master user equipment to at least one slave user equipment over a first communications network;

receiving from the at least one slave user equipment a response comprising information on a user for group establishment, over the first communications network;

creating, by the master user equipment, the group based on the information received in responses from the at least one slave user equipment, the group comprising the master user equipment and the at least one slave user equipment; and

sending, by the master user equipment, the information on the created group to a group management server in a second communications network; and

establishing the group communication in the second communication network.

65. The computer program according to claim 64, wherein at least one of the request or the response is a multicast request, a point-to-point request, a short message request, an instant message request, an e-mail message request, a multimedia message request, a unified messaging message request, a wireless application protocol message request, or an session initiation protocol message request.

66. The computer program according to claim 64, wherein the first communications network is a circuit switched network, a packet switched network, a wireless local area network, an infrared data association network, a Bluetooth medium, or a network according to the Institute of Electrical and Electronics Engineers 802.11 standards.

67. The computer program according to claim 64, wherein the second communications network is a digital mobile communications network, a circuit switched network, or a packet switched network.

68. The computer program according to claim 64, wherein the method further comprises sending the request by using multicasting.

69. The computer program according to claim 64, wherein the method further comprises sending the request by using broadcasting.

70. The computer program according to claim 64, wherein the method further comprises sending, by the master user equipment, the request automatically when new user equipment enters a predetermined area.

71. The computer program according to claim 70, wherein the method further comprises:

sending the request periodically over the first communications network at least in the proximity of the entrance point to the predetermined area.

72. The computer program according to claim 64, wherein the method further comprises deleting, by the master user equipment, user equipment from a group when the user equipment exits a predetermined area or after a predetermined period of time has elapsed.

73. The computer program according to claim 64, wherein the method further comprises sending, by the master user equipment or another device provided with the group information, advertisements to the group members over the second communications network.

74. The method of claim 31, wherein the group management server is for one of presence and instant messaging.

75. The apparatus of claim 62, wherein the group management server is for one of presence and instant messaging.

76. The apparatus of claim 62, wherein the first communications network includes a circuit switched network, a packet switched network, a wireless local area network, an infrared data association network, a Bluetooth medium, or a network according to the Institute of Electrical and Electronics Engineers 802.11 standards.

77. The apparatus of claim 62, wherein the second communications network is a digital mobile communications network, a circuit switched network, or a packet switched network.

X. EVIDENCE APPENDIX

Appellants are unaware of any evidence that is required to be submitted in the present Evidence Appendix.

XI. RELATED PROCEEDINGS APPENDIX

Appellants are unaware of any related proceedings that are required to be submitted in the present Related Proceedings Appendix.